

Whether you believe me to be who I say I am is irrelevant. What matters for you is the following facts. Jurisdiction was lawfully challenged, you judicially recognized it, as well as both magistrates before you. The government has not responded at any time. In fact, they hope to rob me of the right to a trial altogether to prevent any defense from reaching the record. I have pointed this out several times. So far it has been months of the same silly game of saying since I was assigned an agent I never requested, never gave permission to act in my stead, and expressly forbade from doing so, the court can pretend it can't hear me speak. The principle can't speak even when an agent has, on record, refused to offer a defense the court recognized. Then to top it off the agent admits to a conflict of interest, and is still preventing a defense almost 6 months later while delaying an appeal where it is claimed he caused a due process issue by refusing to argue a defense the court recognized. A defense I am entitled to that the Court cannot legally ignore.

When you struck the motions to challenge jurisdiction under rule 12(b)(1) and 12(b)(2) you had a duty to hear the challenge, and the default presumption was that jurisdiction is lacking. If the court lacks jurisdiction it has no right to do anything, which includes assign a representative. To put it bluntly, I cannot have the right to an effective assistance of counsel to an issue the court cannot hear because it lacks jurisdiction, and the court lacks jurisdiction until it is proven to exist by the prosecution. The same reason that jurisdiction can be challenged for the first time on appeal, even if there is a plea where all rights to appeal are waived. If jurisdiction is lacking, which again is the default state, then the court can do nothing which includes assign an agent or send me to be evaluated for competency. Jurisdiction, once challenged,

must be proven. When you recognized the challenge on June 6th, absent the government proving the default presumption wrong, then the court had a duty to dismiss the case, and preventing the government from attempting to establish a new case as the failure to respond was admission that I am immune from your courts, as that was the challenge.

I also want to point out that the government claiming it didn't have access to the struck pleadings was clearly a lie since the forensic psychiatrist, the government, had access. Plus the court made itself aware of the pleading by referencing it, which again was struck in error.

Jurisdiction has been proven not to exist by the government's silence when demanded they overcome the presumption this court lacks jurisdiction. I should have been released within 14 days of the hearing on June 6th where you ordered the government to prove jurisdiction. Even if severed from the motion for competency, the court was compelled to handle that issue before any other issue before it.

~~Correctly~~ An agent the court can't assign to speak for me if it lacks jurisdiction cannot waive the defense claiming that I will make it later, and reissue the challenge after the court rules on competency creating a chicken and egg problem. If the court lacks jurisdiction but rules I am incompetent, did it have the jurisdiction to determine competency? No. The claim otherwise is absurd. When JP Noguez sued that the court proceeding doesn't take away from the challenge to jurisdiction, but has to rule on competency flies in the face of what jurisdiction is.

When jurisdiction was recognized as challenged on June 6th the court must presume that jurisdiction is lacking. What evidence did the government present to prove to the court that its presumption it lacks jurisdiction

was wrong? The US Attorney saying, "As far as we are concerned, we have jurisdiction" does not establish jurisdiction. Everything the court has done after that is unlawful, as the court had a duty to recognize that the government's silence on the issue of jurisdiction was a failure to prove jurisdiction, while recognizing that since jurisdiction was lacking, there is no agent representing me, as there is no case nor controversy before the court.

This is why the court has "a duty at all times to look into the issue of jurisdiction," and that 18 USC § 1654 has no bearing on the challenge. There is no pleading before the court in person or by counsel. It is the demand, "prove for the record the court can hear this" while defaulting the court does not have authority to do so.

Since the default is the court lacks jurisdiction, no defense counsel can ever claim that asking the prosecution to prove jurisdiction is "Frivolous" as the joke of an attorney assigned to my case claimed in the letter noting a conflict of interest. Which I will point out again he sent, and then interfered with my defense again. That alone prejudices my defense.

We are almost 6 months past when the court should have dismissed this case already. This isn't "in the course of your duties", I am just going to point that out.

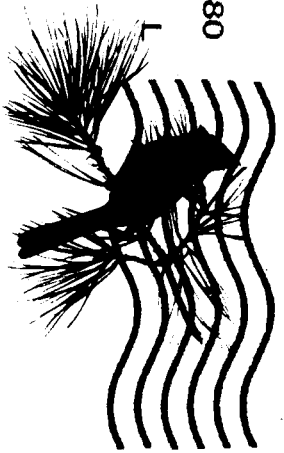
- Jack Carter
JAC

P.S. Maybe there is confusion here on this point: I do not have to say anything other than, "I challenge jurisdiction" then the government has to give the court facts to prove jurisdiction, and overcome the default presumption. Which I can rebut their rebuttle. Giving a reason just saves time, it is not required. I do not have to prove the default presumption. The government doesn't get to "not respond" until I give a reason for the challenge. I am right by default.

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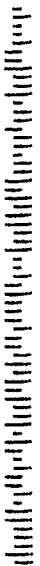
The writer of this letter
is an inmate in the
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